

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of ROAUL GREENWELL, Minor.

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DEPARTMENT OF HUMAN SERVICES, f/k/a  
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED  
June 13, 2006

Petitioner-Appellee,

v

No. 266006  
Wayne Circuit Court  
Family Division  
LC No. 96-345264-NA

CASSANDRA NICOLE BUTLER,

Respondent-Appellant,

and

JONATHON LUIGI BUTLER,

Respondent.

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Before: Kelly, P.J., and Markey and Meter, JJ.

MEMORANDUM.

Respondent-appellant appeals by right the trial court order terminating her parental rights to the minor child under MCL 712A.19b(3)(i) and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Respondent-appellant had previously had her rights terminated to three other children because she could not stop using crack cocaine and alcohol. Five years later, she gave birth to Roaul, who tested positive for cocaine because respondent-appellant used crack cocaine the day before he was born. At the time of Roaul's birth, respondent-appellant did not have provisions for him, income to support him or a home for him to live. There was no evidence to support a

finding that respondent-appellant was any more capable of parenting this child than she had been for her other three children.

We affirm.

/s/ Kirsten Frank Kelly

/s/ Jane E. Markey

/s/ Patrick M. Meter